

REMARKS

Claims 1-3 and 28-51 are currently pending. This amendment is submitted concurrently with a request for continued examination after a Final Office Action dated September 25, 2006 ("the FOA"), which rejected all of the pending claims. Claims 1, 3, 28-30, 33-35, 37, 39-42, 44, 46, 47, 50, and 51 are amended. No claims have been added and no claims are cancelled. No new matter has been added. Applicants submit that pending claims 1-3 and 28-51 are patentable for the reasons discussed below.

Claim Rejections under 35 U.S.C. §112, first paragraph

Claims 1-3 and 28-51 are rejected under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement. Specifically, the FOA states that there is no support for the term "conferencing link," because the word "conference" nor any of its derivatives occur in the Applicant's Specification. In addition to Applicants' response of November 27, 2006, which is hereby incorporated by reference, Applicants respectfully note that, if the FOA arguments regarding common sense and common knowledge are sustainable, then such common sense and common knowledge also apply to the term "conferencing link." The description clearly enables persons of ordinary skill in the art to understand the invention as claimed. Nevertheless, Applicants have amended Claims 1, 3, 28-30, 33-35, 37, 39-41, 44, 46, 47, 50, and 51 to replace the term "conferencing link" with the broader term "audio communication link." Support is found throughout the specification including page 13, lines 19-32.

Claim Rejections under 35 U.S.C. §103 over Dialpad.com in view of Landsman


Claims 1-3 and 28-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dialpad.com (Dialpad.com screenshots from 8/17/2000 and prior obtained via [www.archive.org/The Wayback Machine](http://www.archive.org/The_Wayback_Machine)) in view of Landsman et al. (U.S. Patent No. 6,314,451, "Landsman"). Applicants respectfully maintain the arguments submitted on November 27, 2006, which are hereby incorporated by reference. Nevertheless, without conceding to a narrower scope of the invention, and reserving the right to file a continuation application, Applicants have amended

independent Claims 1, 37, 44, and 50 to specify that the downloadable configuration instructions create a plurality of audio ad sets, each set defining selection of and broadcast control of at least one audio advertisement. Support for the amendments is found throughout the specification, including page 14, lines 12-22 and page 15, line 24 through page 16, line 6. Dialpad.com and Landsman do not disclose or suggest such audio ad sets.

Accordingly, Applicants respectfully request that the rejection of the independent claims under 35 U.S.C. §103(a) be withdrawn. It is well settled that dependent claims are patentable for at least the same reasons as the independent claims from which they depend. Accordingly, Applicants respectfully request that the rejection of the dependent claims under 35 U.S.C. §103(a) also be withdrawn. In view of the above amendment, applicant believes the pending application is in condition for allowance. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone Applicants' attorney at the number listed below.

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Respectfully submitted,

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